

EXHIBIT K

PART 2 OF 2

1 Nancy DeNardi

2 And this was all something I had
3 witnessed before and it was always right before
4 somebody was terminated.

5 Q. And these were people who the
6 company thought were not performing properly?

7 A. That's right.

8 Q. Did anyone ever tell you they
9 thought you weren't performing properly after you
10 got back from your disability leave?

11 A. No, not until that comment was made
12 and Ginny was, "You seem to be forgetting things.
13 Is chemo affecting your brain? What's going on?"
14 Other than that, nothing to my face that I
15 recall.

16 Q. What did she refer to, and I'm
17 saying, referring to Ginny, when she said, "You
18 seem to be forgetting things"?

19 A. There was a person that I was
20 supposed to call for the American Cancer Society
21 and I had actually called them. They had left
22 for the day.

23 And Ginny had asked me if it was
24 done. And I said no, I had left the woman a
25 message on her answering machine. She hadn't

1 Nancy DeNardi

2 you?

3 A. I'm sorry?

4 Q. Wasn't collection work given back
5 to you before you were fired?

6 A. Not the whole thing. I believe
7 Regina was doing it at one point and Regina was
8 leaving. I don't know who else got it after
9 because Regina left a day before I left, so I
10 don't know who got it after that.

11 Ginny had said that she just wanted
12 me to do the end report. I think Carol was doing
13 everything else, actually, for the collection.

14 Q. And was collection a critical job
15 responsibility that you had?

16 A. Collection was a very big job.

17 Q. Was it critical?

18 A. I think all the jobs in the billing
19 department are critical. We were trying to
20 coll

21 Q. Were you ever given any reason why
22 these job responsibilities were removed from your
23 work?

24 A. No. Ginny had told me when I was
25 going onto the Cerner, she said, "Clear your desk

1 Nancy DeNardi

2 off by the end of the week, so you could sit with
3 Carol and learn how to do the interface."

4 Q. So the reason you were given was
5 that you were going to now be doing the Cerner
6 interface?

7 A. Right. But like I said, I was
8 under the impression that was only not part time,
9 but until they hired somebody. So I was starting
10 to wonder what I was going to be doing after they
11 hired somebody for the interface.

12 Q. So you were under the impression it
13 was a short-term project?

14 A. Yes, I was.

15 Q. But Ginny never said that; is that
16 right?

17 A. She never said it in so many words.
18 That's what it was implied. It was we're looking
19 to hire somebody, we haven't found anybody yet.

20 Q. Looking to hire someone to do what?

21 A. To do the Cerner interface. They
22 wanted somebody to get in there and do the job
23 and they were looking at Kim DeLong, who did
24 Medicare at that time, but she didn't want to do
25 it, I guess.

1 Nancy DeNardi

2 Ginny asked me if I would be
3 willing to take it on until they hired somebody.

4 Q. Did you ask Ginny what you would be
5 doing after they hired somebody?

6 A. No, I did not.

7 Q. Why not?

8 A. I just assumed wrongly, because my
9 job was gone then, that it would come back to me,
10 but then they hired Shari and everything was
11 divvied up between Jackie, Carol and she.

12 Q. So when did Ginny tell you that
13 they were looking to hire someone to do the
14 Cerner interface?

15 A. When I got -- when I took the job,
16 I said I would take it, and she had said that
17 they wanted to hire someone. I don't know if
18 they ever actually put in an ad or tried to find
19 someone. She said they were going to look for
20 somebody to do that job, to do it permanently.

21 Q. So prior to that time, you got your
22 own responsibilities, right?

23 A. Yes.

24 Q. Before you were doing the Cerner
25 interface?

1 Nancy DeNardi

2 A. Yes.

3 Q. And when did you start doing the
4 Cerner interface, approximately?

5 A. I don't know. I think it was
6 approximately just before Shari started. I was
7 sitting with Carol, I was still doing other
8 things. I still had some of my responsibilities.
9 When Shari started, everything kind of went. I
10 was then basically just doing the Cerner. I
11 don't know the exact date.

12 Q. Is it your position that Shari
13 basically took over your job?

14 A. That was my impression, yes.

15 Q. That was your impression?

16 A. And that's exactly what I feel.

17 Q. What were you doing immediately
18 before Shari was hired?

19 A. The refund checks.

20 The client bills.

21 Overseeing -- Ginny at one point
22 wanted me to oversee the hospital data entry,
23 which became Shari's exclusively when Shari
24 started.

25 I was the backup biller when the

1 Nancy DeNardi

2 You'd have to look at my paychecks
3 going back to that time to see how much overtime
4 I put in, but there was quite a bit done, and I
5 never had any complaints about my job from
6 anybody. I actually got a nice little raise and
7 bonus that year.

8 Q. Did you ever tell anyone at the
9 company that you had little or no work to do?

10 A. No.

11 Q. Is it true?

12 A. That I had little or no work to do?

13 Q. Yes.

14 A. No.

15 Q. What about when you were doing the
16 Cerner interface, did you have little or no work
17 to do?

18 A. I had little or no work to do in
19 regards to what I used to have. I had one job
20 and one job only, which was pretty boring to do
21 the same thing day in and out, day in and day
22 out.

23 Q. So you weren't happy doing that?

24 A. No, I wasn't.

25 Q. But would you say you had no work

1 Nancy DeNardi

2 A. All right.

3 Q. How many times did Carol tell you
4 that you weren't getting the job done quickly
5 enough?

6 A. She said it to me that one time
7 that I remember. Ginny said it to me after that.

8 It was basically after that I just
9 kind of just steered clear with Carol. I didn't
10 want a confrontation. I didn't want a
11 confrontation with any of them at this point.
12 Like I said before, I wanted to go in, do my job
13 and go home. I was extremely unhappy. And I
14 just wanted to be left alone.

15 Q. Did you report to Carol at that
16 time, meaning did you have to give her your work?

17 A. I had to give her everything I did
18 for the day at the end of the day, so she could
19 go over it.

20 Q. How were you able to steer clear of
21 her?

22 A. It was very difficult. During the
23 day I just tried to stay in my cubby unless I had
24 a question and I had to ask her. At the end of
25 the day, I brought over my work and said good

1 Nancy DeNardi

2 I did the right thing. I punched
3 her out because she wasn't there. I wasn't Terry
4 Ann Sweet or Wendy Yelton, who punched somebody
5 in because they weren't there.

6 And I'm sorry, but that is -- this
7 is very upsetting to me and I think it's more
8 upsetting to me that if they wanted to get rid of
9 me, get rid of me. I truly believed they used my
10 daughter, obviously they had to get rid of her
11 first if they wanted to get rid of me, my
12 daughter didn't do anything to anybody in that
13 company ever. She went in and did her job. I
14 went in and did my job. I did not steal anything
15 from anybody.

16 MR. KLEIN: Can you read the
17 question back for me, please?

18 (The designated question was read
19 by the court reporter.)

20 Q. Did you believe that Joe Chiseri
21 had a perception prior to your firing that you
22 were disabled?

23 A. I didn't have a whole lot of
24 contact with Joe, so I'll be honest and say I
25 don't know what he perceived.

1 Nancy DeNardi

2 I will say that I know Ginny would
3 have talked to Mark. I'm sure that she expressed
4 a desire to get rid of me, and I'm sure Mark
5 expressed that same desire to Joe. I'm sure it
6 was brought up in conversation. I'm sure they
7 talked about it.

8 Whatever reason with Joe, I don't
9 know. I believe that I was let go for a
10 disability that I didn't have. I think it
11 started with Ginny, it went to Mark, and at that
12 point I would say Joe probably said, "Fine, get
13 rid of her."

14 Q. Prior to your termination, you
15 didn't have any conversations with Mark Newton
16 about your either perceived disability or
17 sickness, correct?

18 A. No.

19 Q. So you don't know for a fact what
20 Ginny told Mark as to why she wanted to fire you
21 if, in fact, she ever told him, right?

22 A. No, I never heard a conversation
23 between the two of them.

24 Q. So it's your belief that Ginny
25 wanted to get rid of you because she perceived

1 Nancy DeNardi

2 you to have a disability, right?

3 A. Yes.

4 Q. And it's also your belief that she
5 told Mark Newton that she wanted to get rid of
6 you because she perceived you to have a
7 disability; is that right?

8 A. Yes.

9 Q. And then you believe that Mark
10 Newton wanted to get rid of you because he agreed
11 with Ginny that you had this disability?

12 A. Yes.

13 Q. Or they believed you had a
14 disability, right?

15 A. Yes.

16 Q. And you never had a conversation
17 with Mark Newton about having a disability or
18 even a perception of having a disability,
19 correct?

20 A. Correct.

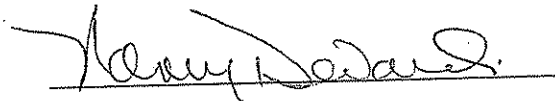
21 Q. And the only conversation you had
22 with Mark Newton regarding your termination was
23 the day you were actually terminated, correct?

24 A. Correct.

25 Q. So would you agree with me that you

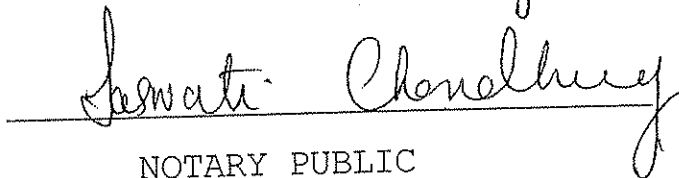
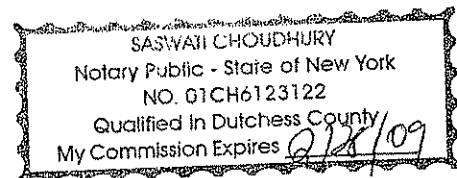
ACKNOWLEDGEMENT

I, NANCY DeNARDI, hereby certify
that I have read the transcript of my
testimony taken under oath in my
deposition of March 20, 2008; that the
transcript is a true, complete and
correct record of what was asked,
answered and said during this deposition,
and that the answers on the record as
given by me are true and correct.



NANCY DeNARDI

Subscribed and sworn to before me
this 14th day of May, 2008.


NOTARY PUBLIC

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CERTIFICATE

I, LINDA P. FABEL, a Notary Public
within and for the State of New York, do
hereby certify:

That NANCY DeNARDI, the witness
whose deposition is hereinbefore set
forth, was duly sworn by me and that the
within transcript is a true record of the
testimony given by such witness.

I further certify that I am not
related to any of the parties to this
action by blood or marriage and that I am
in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 31st day of

March, 2008.

Linda P. Fabel

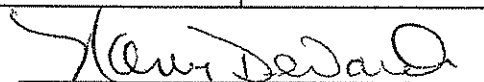
LINDA P. FABEL

ERRATA SHEET

Deposition of Plaintiff Nancy DeNardi taken on March 20, 2008

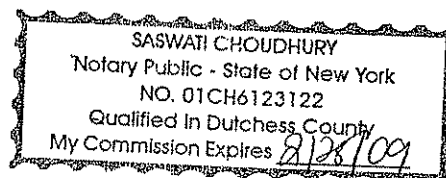
Re: *DeNardi v. DRA Imaging, P.C., et al*, 07 Civ. 5794 (MGC)

PAGE	LINE(S)	READS	SHOULD READ	REASON FOR CHANGE
67	6-7	"They'll know more we'll all of us be in there together"	"No more will all of us be in there together."	Transaction error
98	9	going to let this defy me.	going to let this define me.	Transcription error
125	10	McCauley as supervisors, and I was listed as billing department lead.	McCauley as supervisors, and I was not listed as billing department lead.	Transcription error
213	9	It was a significant job in their eyes when they gave it to me.	It was not a significant job in their eyes when they gave it to me.	Transcription error
254	8	and not to mention Fishkill was a three-hour	and not to mention Fishkill was a 1/2-hour	Transcription error


Nancy DeNardi

Sworn to before me this 14/4
day of April 2008


NOTARY PUBLIC



COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
NANCY DeNARDI,

Plaintiff,

- against -

DRA IMAGING, PC and IMAGING SUPPORT
SERVICES, LLC,

Defendants.

-----X

Tuesday, April 22, 2008
10:20 a.m.

Held at the Offices of
Keane & Beane PC
445 Hamilton Avenue
White Plains, New York

CONTINUED EXAMINATION BEFORE TRIAL of

NANCY DeNARDI,

Plaintiff, pursuant to Notice, before Linda P.
Fabel, a Shorthand Reporter and Notary Public
within and for the State of New York.

Nancy DeNardi

1

2

Barkiyani?

3

A. When?

4

Q. At any time?

5

A. Was I having problems with her?

6

Q. Yes.

7

A. For that statement or just --

8

Q. No, no, no.

9

A. Okay.

10

Q. Not that statement. She didn't

11

tell you that statement, right?

12

A. No.

13

Q. And you never repeated that

14

statement to her?

15

A. I don't believe I said anything to

16

Ginny.

17

Q. You were having problems with Ginny

18

Barkiyani, right?

19

A. I believe so.

20

Q. You know so, don't you?

21

A. Yes.

22

Q. And you were having problems with

23

Carol?

24

A. Yes.

25

Q. And you were having problems with

1 Nancy DeNardi

2 Jackie?

3 A. Yes.

4 Q. And it's fair to say you never went
5 to Mark about the problems you were having with
6 either of those people, correct?

7 A. Yes.

8 Q. And you never went to Joe?

9 A. Yes.

10 Q. Is it fair to say that the reason
11 you didn't go to Joe was because of the statement
12 Gail Platt made to you in latter 2003?

13 A. That's fair.

14 Q. All right.

15 A. But not just the statement. What I
16 witnessed with Maureen and with my neighbor, it
17 got them nowhere.

18 Q. What you witnessed with Maureen was
19 what she was telling you, right?

20 A. I don't think it was just on what
21 she was telling me. I think the whole company
22 because -- I mean it was pretty -- it wasn't
23 private what was happening between Maureen and
24 her supervisor. It was obvious.

25 And then she wasn't an IT anymore.

Nancy DeNardi

1
2 Poughkeepsie. She was up at Poughkeepsie for, I
3 have to say a month or two.

4 Q. And where was she located or
5 situated in the company?

6 A. She sat at the front desk.

7 Q. And where were you?

8 A. I was in the billing department.

9 Q. Not at the front desk?

10 A. No.

11 Q. So --

12 A. But I walked by the front desk a
13 lot during the day and there was always somebody
14 practically on top of her.

15 Q. And who was the somebody that was
16 on top of her?

17 A. I believe it was Roxanne Queen
18 (phonetic) that was watching her.

19 Q. How come you didn't go to Mark with
20 the problems you were having with Jackie and
21 Ginny and Carol?

22 A. For the same reason I didn't go to
23 Joe. Mark and Ginny seemed to be pretty close.
24 He was Ginny's immediate supervisor. I really
25 felt that he would just go back to Ginny and it

Nancy DeNardi

wouldn't do any good. It wouldn't have gone anywhere.

I felt I would have been just -- I went to Ginny, I got nowhere with Ginny. I talked to her a few times.

Going to Mark, I felt he would have just gone back to Ginny and it would have died right there.

Q. You never gave Mark the chance to address any of the concerns that you had?

A. No, I didn't.

Q. You never gave Mark the chance to address any of the issues that you were having with either your job duties being taken away or you being humiliated, correct?

A. No.

Q. And you believe that Mark would have just backed Ginny --

A. Yes.

Q. -- correct?

A. Yes.

Q. And the basis for your belief is what you heard from other people, right?

MS. PERRY: Object to the form of

Nancy DeNardi

regard to the Cerner interface?

MS. PERRY: I think you spent a lot of time on this last time.

MR. KLEIN: I've got another question. It's just a follow-up. As you see, I'm not getting the answers. I'm trying to get simple answers here.

Q. What were the functions that you did on the Cerner interface?

A. I ran a report, it dropped all the charges. I had to go through the report. If the diagnoses weren't there, I had to give them the codes. She had to code them. I had to put them in manually.

I had to check all the referring doctors, make sure they were right.

Make sure the insurance companies were right.

Create a checklist.

Q. Could anyone be billed for services performed by DRA before you completed your daily Cerner interface tasks?

A. No.

Q. Could anyone have been trained to

1 Nancy DeNardi

2 A. "Mom."

3 Q. Did anybody ever complain about the
4 way she talked to you or you talked to her while
5 you were at work?

6 A. Not that I could recall. The way
7 she addressed me, no.

8 Q. Tell me what the punch-in and
9 punch-out system was in 2005.

10 A. On the computer you would pull up
11 the time sheet, punch in your last four digits of
12 your Social Security number, punch it in again.
13 And it would record the time you punched in; or
14 if you were punching out, the time you punched
15 out.

16 Q. And there were no time cards in
17 2005, correct?

18 A. I don't think so.

19 Q. So it was all done on the computer,
20 as far as you recall?

21 A. Right.

22 Q. Was the punch-in system the same
23 for every employee at DRA?

24 A. No. Some of the supervisors had
25 what they called a time sheet, which worked on

1 Nancy DeNardi

2 Q. Tell me -- take me through the day
3 of May 5th, after you got to work.

4 A. I got to work, ran the report that
5 had to be run first thing for Cerner. Started to
6 work on that.

7 Probably said good morning to
8 Joanie and Candice, like I usually did.

9 About 8:15, 8:30-ish I was over by
10 Jackie's desk, I was talking to Jackie and Carol
11 and Ginny was there.

12 Left there to go back to do my job,
13 to go back to my desk because we were chatting
14 for a few minutes, stopped by the desk that
15 Heather was working at.

16 It was about 8:45. She was working
17 at Linda Furlano's desk. Ginny stopped with me,
18 said good morning to Heather.

19 As we were walking away, Ginny was
20 going off to the right to the storeroom, I was
21 going back to my cubby. And I had mentioned to
22 her that Heather had a final and couldn't come
23 in, and could she work Tuesday instead.

24 And Ginny got a little nasty about
25 it. She said, "Absolutely not, she's working

1 Nancy DeNardi

2 Friday. There's too many people walking around
3 this place as it is."

4 And she walked away and it was at
5 that moment I just knew, you know, that this is
6 over. There's no friendship here anymore,
7 there's no nothing.

8 So I said, "All right, fine."

9 I went back to my desk. As I was
10 going back to my desk, I said, "She won't be in
11 next Friday, she has a final, it's final week."

12 I went back to my desk -- I'm
13 sorry, before we left Heather's desk, I said,
14 "When do you have to leave for school?"

15 And she said, "I don't have to
16 leave yet. I still have some time. I'll go in a
17 little while."

18 She was going to meet a study group
19 because she had finals next week.

20 I said, "Okay, fine."

21 She said she was coming back around
22 noontime to finish out the day. She was going to
23 work like 12:00 to 4:00.

24 I went back to my desk, was working
25 at my desk. I was talking to Joanie for a second

1 Nancy DeNardi

2 and Heather called. She said she had left, she
3 had forgot to punch out. Could I punch her out.

4 I said fine. It was about 9:10,
5 9:15.

6 I went to punch her out. I went to
7 ask Ginny a question. She was at her desk, she
8 was putting on her coat. And then she sat down
9 and she pulled up her computer. She was looking
10 at something and she started rapid firing
11 questions at me, and with each question she got
12 louder and yelling, "Where's Heather? What time
13 did she leave? I know she's not here. Where is
14 she? What did she do?"

15 And she was so quick with
16 questions, I was like, "What are you talking
17 about?"

18 Finally when she came up for a
19 breath, she said, "Did you punch Heather out?"

20 I said, "Yeah, what's the big
21 deal?"

22 And with that, she got up and, like
23 I said, she had her coat on, she was leaving for
24 the day. She said, "I know Heather's not happy
25 here. Maybe she should look for a job somewhere

1 Nancy DeNardi

2 else."

3 And I got angry and I said.

4 "Heather's very happy here, but if that's what
5 you want, I'll tell her not to come back."

6 And I came back in, "Is that what
7 you want for me also? Do you want me to look for
8 a job elsewhere?"

9 And she said, "Absolutely not."

10 And I said "Fine," and I walked
11 away.

12 And I didn't see her for the rest
13 of the day. She had left for the day with Mark
14 and Sandy, because Sandy was waiting outside her
15 office, waiting for her.

16 And I believe I stayed in my cubby
17 the rest of the day and did my job and went home.

18 Q. Was that the only conversation you
19 had with Ginny about your daughter?

20 A. That day, yes, she had left for the
21 day, yes, she wasn't there the rest of the day.

22 And when I came in on Monday I
23 wanted to speak to her. She stayed in her office
24 all day with her door closed.

25 At one point her sister was in

1 Nancy DeNardi

2 A. No.

3 Q. Isn't that what Mark told you on
4 Monday, May 8th, that you had told Ginny that you
5 didn't punch Heather out?

6 A. I don't remember that.

7 Q. Didn't Mark accuse you of lying to
8 Ginny on May 8th?

9 A. I'm trying to remember the whole
10 conversation. I don't remember that.

11 I remember telling Mark that Lisa
12 had also punched somebody else out. I remember
13 we talked about not punching out for chemo.

14 I don't remember him saying that I
15 lied to Ginny. I didn't lie to anybody.

16 Q. Well, didn't you tell people that
17 one of the reasons why you were being fired is
18 because you lied to Ginny?

19 A. I didn't say that to anybody.

20 Q. You never told anyone that?

21 A. Not that I recall.

22 Q. Did you ever put it in writing?

23 A. Not that I recall.

24 Q. Is there anything that could help
25 refresh your recollection?

1

Nancy DeNardi

2

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Q. Is that the first time you ever
heard of it?

4

5

MS. PERRY: You're talking about
the e-mail?

6

7

8

MR. KLEIN: Seen it in writing.
Q. Have you ever seen it in writing
other than that e-mail?

9

10

MS. PERRY: Where they're accusing
her of lying and stealing?

11

12

13

MR. KLEIN: Correct.

Q. And had you ever heard anyone

say --

14

15

16

17

A. I'm sorry, I'm -- I would have to
look at the little paragraph that Ginny wrote up
for the Labor Board. It might have been in
there, it might have been there.

18

19

Q. And other than reading it, you had
never heard it anywhere?

20

21

22

23

24

25

A. I don't believe so.

Q. Never heard it from Ginny?

A. I don't believe so.

Q. Never heard it from Mark?

A. I don't believe so.

Q. Well, do you remember everything

1 Nancy DeNardi

2 that took place in that conversation on May 8th?

3 A. I would like to think I did, but
4 I'm sure I didn't, my head was spinning, I could
5 not believe what was happening.

6 Q. What time did that conversation
7 start?

8 A. On the 8th?

9 Q. Yes.

10 A. About a quarter to 4:00, about 10
11 to 4:00.

12 Q. What time did it end?

13 A. It ended fairly quickly because I
14 believe I was out of there before 4:00 o'clock.

15 Q. What time did it end?

16 A. Probably about 5 minutes after it
17 started.

18 Q. So it started either at a quarter
19 to 4:00 or 10 to 4:00 and it ended?

20 A. Before 4:00.

21 Q. Before 4:00?

22 A. I didn't want to hang around. I
23 wanted to get out of there as quickly as
24 possible. I didn't see much reason to hang
25 around.

1 Nancy DeNardi

2 Q. During the meeting on May 8th, did
3 anyone accuse you of stealing?

4 A. I don't know if he used those
5 words.

6 Q. What words did he use?

7 A. Punching my daughter out. It was
8 an inference that I waited until an hour or so
9 after she left to punch her out.

10 I don't know if Mark said it in so
11 many words. I got the impression that he felt
12 that maybe I did it so she'd get more money.

13 I know I said to him, "Why would I
14 do that? Why would I risk my job to give her 2
15 or 3 dollars extra in her paycheck? It was the
16 most ridiculous thing I have heard. She was
17 coming back at noontime. I punched her out so
18 she wouldn't get paid."

19 If I hadn't punched her out, they
20 would have paid her until 4:00 o'clock in the
21 afternoon. I said, "I punched her out because I
22 thought it was the right thing to do as an
23 employee, so she would not get paid any further."

24 Q. Mark never accused you of stealing,
25 though; isn't that right? That was what you

Nancy DeNardi

inferred he was saying?

A. He never used the words. I -- I -- it's the only thing I could think of, what would the reason be to punch her out later.

Q. That was, again, your inference --

A. Yes.

Q. -- correct?

A. Yes.

Q. Do you recall the exact words that Mark used during that conversation?

A. Only parts of it. Like I said, my head was spinning. I remember talking to him about Lisa punching somebody out the same day.

He said they were going to make an example out of me.

He said, "I understand there's also a problem with you not punching out for chemo."

I told him that was Ginny's idea to take reports with me. I could take work while I was sitting there.

At that point I turned to Ginny. I asked her for help. I said, "Please help me out here. You know, I don't understand what's going on."

1 Nancy DeNardi

2 And that's when she turned to me
3 and said, "The decision's been made."

4 And at that point I said -- I knew
5 there was nothing -- I asked -- I said, you know,
6 "What about a second chance? Why aren't we just
7 talking about what happened, and don't do it
8 again?"

9 And I was told, "Absolutely not."

10 And at that point I knew I was up
11 against a wall and I said, "Fine," and I got up
12 and I ran out of there.

13 At that point I wanted out of that
14 building as fast as I could. Trying to get out
15 without people coming up and saying, "What
16 happened? What's going on?"

17 As it was, two or three people
18 stopped me on my way out. I just wanted to get
19 out of there.

20 Q. Ginny said, "The decision's been
21 made," correct?

22 A. Yes.

23 Q. Is that the only thing she said?

24 A. That's the only thing she said
25 during that whole meeting.

Nancy DeNardi

Q. "6:30 to 8:00, worked on refunds,"
why is that significant, if at all?

A. It's not significant. It was just
one of my jobs that I was doing before it was
taken away. I did refund checks.

Q. Was it given back to you, the
refunds?

A. Not after I started Cerner.

Q. And 8:30 to 9:30, you did front
desk?

A. Yes.

Q. And then the rest of the day you
did a credit balance report?

A. That was the collection report.

Q. Is that part of Cerner?

A. No.

Q. Can you read slowly, please, the
entry for Wednesday, March 29th, slowly?

A. Okay.

Q. Thank you.

A. "6:30 to 8:00, checked Carol's
no's. Went over IOC cases.

"8:00 to 9:00, front desk. Spent
rest of day with Carol. Spoke to Ginny. Did not

1 Nancy DeNardi

2 realize how memo read, said my level has not
3 changed, only thing changed is me doing DRA
4 charges."

5 Q. When did the conversation with
6 Ginny take place regarding your level changing or
7 not changing?

8 A. I believe it was sometime in the
9 afternoon. I don't know exactly.

10 Q. And is that an accurate statement
11 of what Ginny told you, that your level did not
12 change?

13 A. She said nothing has changed.
14 And I asked her, "Where does it say
15 billing department lead?" And as I stated
16 before, that was -- she never answered that
17 question. On three different occasions I asked
18 her that same question and it was never answered.

19 Q. The memo you're referring to in
20 that entry, did it come out on March 29th?

21 A. No, it did not. It came out before
22 that.

23 Q. How long before that?

24 A. It came out the same time the memo
25 came out that Shari McCauley was hired as her

Nancy DeNardi

assistant.

Q. That was sometime in March?

A. Yes. I don't know whether it was the 14th or 24th, somewhere around there.

Q. Were you doing DRA charges, as you wrote in this entry?

A. Carol was -- yes, Carol was still training me to a point. I was a lot on my own at that point, but I was still going back to Carol.

Q. Can you read the entry for Thursday, March 30th, please?

A. "6:30 to 8:00, to refund Carol's no's.

"8:00 to 9:00, front desk rest of day training Shari."

Q. Is this the first day you were training Shari?

A. I don't recall. It's the first time I wrote it, but like I said, I did not write everything, so I don't know.

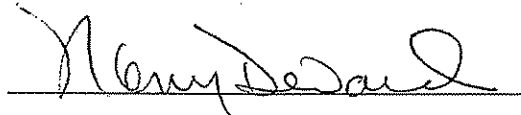
Q. Read Friday, the 31st, please.

A. "6:30 to 8:00, refund Carol's no's."

Q. What did you do for the rest of the

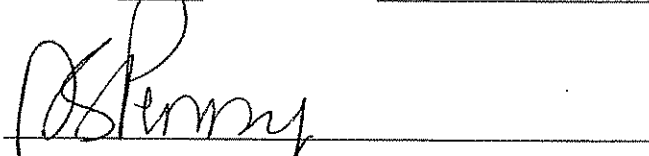
A C K N O W L E D G E M E N T

I, NANCY DeNARDI, hereby certify
that I have read the transcript of my
testimony taken under oath in my
deposition of April 22, 2008; that the
transcript is a true, complete and
correct record of what was asked,
answered and said during this deposition,
and that the answers on the record as
given by me are true and correct.



NANCY DeNARDI

Subscribed and sworn to before me
this 17 day of JUNE, 2008.



NOTARY PUBLIC

DAVIDA S. PERRY
Notary Public, State of New York
No. 4987676
Qualified in Westchester County
Commission Expires Oct. 21, 2009

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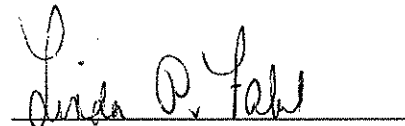
CERTIFICATE

I, LINDA P. FABEL, a Notary Public
within and for the State of New York, do
hereby certify:

That NANCY DeNARDI, the witness
whose deposition is hereinbefore set
forth, was duly resworn by me and that the
within transcript is a true record of the
testimony given by such witness.

I further certify that I am not
related to any of the parties to this
action by blood or marriage and that I am
in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 30th day of
April, 2008.



LINDA P. FABEL

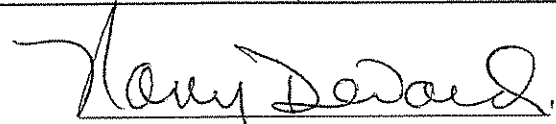
ERRATA SHEET

Deposition of Plaintiff Nancy DeNardi taken on April 22, 2008

Re: *DeNardi v. DRA Imaging, P.C., et al*, 07 Civ. 5794 (MGC)

PAGE	LINE(S)	READS	SHOULD READ	REASON FOR CHANGE
299	7	"conversation"	"opportunity"	Transaction error
328	12	"Ginny -- and I wasn't there right after Ginny spoke about Heather. Actually, she was leaving with Mark."	Ginny wasn't there. Right after Ginny and I spoke about Heather she was leaving with Mark."	Transcription error
339	4	"I wasn't"...	"I was"...	Transcription error
213	9	It was a significant job in their eyes when they gave it to me.	It was not a significant job in their eyes when they gave it to me.	Transcription error
254	8	and not to mention Fishkill was a three-hour	and not to mention Fishkill was a 1/2-hour	Transcription error
373	13-14	"diagnoses weren't there, I had to give them the coder. She had to code them."	"diagnoses weren't there, I had to give them to the coder so she could code them."	Transcription error
387	17	"was told not to do any other work."	"was told not to do any overtime."	Transcription error
463	24	"Saturday with Carol for interface,"	"sat with Carol for interface,"	Transcription error
465	20	"CBT"	"CPT"	Transcription error
491	18	"claims where Carol was prime."	"claims where Medicare was prime."	Transcription error
496	24	"half-hour often..."	"half-hour off..."	Transcription error
513	16	"remember the statistics"	"remember the specifics"	Transcription error

514	5-7	"--I was saying I had MVP and MVP didn't care that it was what was called a genetical behavioral health."	"I was saying I had MVP and the therapists I was calling didn't accept MVP. It turned out I was supposed to use United Behavioral Health."	Transcription error
514	13	"And I ended up writing the number..."	"And I ended up calling the number..."	Transcription error
532	14	"\$20,000 is nothing a year to work..."	\$20,000 is nothing a year to live..."	Transcription error



Nancy DeNardi

Sworn to before me this 17
day of June 2008


NOTARY PUBLIC